

The Honorable John H. Chun

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

AMAZON.COM, INC.

Defendant.

No. 2:23-cv-00932-JHC

**DECLARATION OF LISA  
LEUNG IN SUPPORT OF  
DEFENDANT'S MOTION TO  
SEAL COMMERCIALY  
SENSITIVE AND IRRELEVANT  
INFORMATION**

I, Lisa Leung, declare as follows:

1. I am Director of Worldwide Prime Member Growth for Defendant Amazon.com, Inc. ("Amazon"). Unless otherwise noted, the matters set forth herein are true and correct to the best of my own knowledge and, if called as a witness, I could and would testify competently thereto.

2. I submit this declaration in support of Amazon's Motion to Seal Commercially Sensitive and Irrelevant Information. Nothing in this declaration is intended to or should be construed to constitute a waiver of Amazon's attorney-client privilege and work product protection asserted in its privilege logs as to the documents discussed therein.

3. I have been employed at Amazon since August 2011. I assumed my current role as Director of Worldwide Prime Member Growth in January 2022. In this role, I am involved with Prime enrollment and retention and oversee many facets of the Prime business.

DECLARATION OF LISA LEUNG IN SUPPORT OF DEFENDANT'S  
MOTION TO SEAL AND STRIKE (2:23-cv-00932-JHC) - 1

1           4. I have reviewed the Complaint, the FTC's Motion to Desequester Documents  
2 Clawed Back by Defendant, and the attachments to the Declaration of Adam Rottner, including  
3 those portions that Amazon is moving to seal as identified in the appendix and attachments to  
4 Amazon's Motion to Seal Commercially Sensitive and Irrelevant Information.

5 **The Confidential Business Information**

6           5. Amazon collects, develops, and maintains highly confidential and commercially  
7 sensitive business information ("Confidential Business Information"), including:

- 8           • customer survey data;
- 9           • user and product testing data;
- 10          • data regarding subscription enrollment and cancellation decisions;
- 11          • data regarding customer activity and subscription usage;
- 12          • data regarding customer acquisition channels;
- 13          • the specific metrics that Amazon uses to evaluate its products and services;
- 14          and
- 15          • the specific analyses and decision-making processes that Amazon engages in  
16          to evaluate its products and services.

17          6. Amazon has devoted significant time and resources to collecting, developing,  
18 and maintaining its Confidential Business Information.

19          7. Amazon uses its Confidential Business Information to improve its products and  
20 services for its customers, to aid its efforts to attract and retain customers that might otherwise  
21 choose the products or services of competitors, and to aid its internal analyses and decision-  
22 making processes.

23          8. Amazon does not publicly disclose its Confidential Business Information and  
24 treats it confidentially within the company to prevent its disclosure to competitors.

25          9. Amazon has a strong business interest in protecting its Confidential Business  
26 Information from disclosure to competitors. The disclosure of its Confidential Business

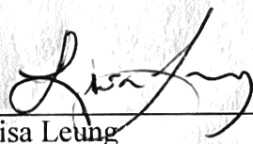
1 Information would allow competitors to free-ride on Amazon's investment of time and  
2 resources to develop the Confidential Business Information and allow those competitors to gain  
3 an unfair competitive advantage by copying Amazon's internal processes and benchmarking  
4 their subscription programs against those of Amazon.

5 10. As part of the FTC's investigation, Amazon produced numerous documents,  
6 some of which contained its Confidential Business Information falling within the specific types  
7 of proprietary business information described in Paragraph 5 above.

8 11. I have reviewed the Complaint, the FTC's Motion to Desequester Documents  
9 Clawed Back by Defendant, and the attachments to the Declaration of Adam Rottner and  
10 portions of those documents contain such Confidential Business Information. The portions  
11 containing Confidential Business Information are identified in the appendix and attachments to  
12 Amazon's Motion to Seal Commercially Sensitive and Irrelevant Information.

13 I declare under penalty of perjury under the laws of the United States that the foregoing  
14 is true and correct to the best of my knowledge.

15 Executed on July 17, 2023.

16  
17 By   
18 Lisa Leung